

EXHIBIT E

ORIGINAL

1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
JANNIE PILGRIM, GIOVANNA HENSON,
JESAN SPENCER and BRENDA CURTIS,

Plaintiffs, '07 CIV

-against- 6618

THE MCGRAW-HILL COMPANIES, INC.,

Defendant.
-----X

January 9, 2008

9:38 a.m.

Deposition of GIOVANNA HENSON, held
at the offices of Proskauer Rose LLP, 1585
Broadway, New York, New York, pursuant to
Notice, before Mildred Cassese, a Registered
Professional Reporter and Notary Public of
the State of New York.

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1 *G. Henson*

2 Q. Ms. Henson, before the break we were
3 talking about your work on the affirmative action
4 plans.

5 Did you ever have any substantive
6 input beyond what you described to me with regard
7 to the affirmative action plans while you were at
8 McGraw-Hill?

9 A. When you say substantive input, you
10 mean what?

11 Q. Other than just identifying where
12 there were holes or potentially missing
13 information.

14 A. Well, I also pointed out to Ivy
15 Latimer about how African Americans weren't in
16 high level positions, and how they were leaving at
17 a -- looked like they were leaving at a quicker
18 rate and that was pretty -- it wasn't very many
19 African Americans in high level positions and
20 there were a lot of African Americans who were in
21 lower level positions.

22 Q. Any other involvement with the
23 affirmative action plans?

24 A. Well, when I was running Data Depot
25 reports I also saw African Americans leaving at a

1 *G. Henson*

2 A. Well, at that time, yes, because I had
3 just started working in human resources and I only
4 had maybe a year and a half of experience, and I
5 know Jannie had more experience than me in human
6 resources.

7 Q. Is Jannie also African American?

8 A. Yes, she is.

9 Q. When did you interview for the talent
10 acquisition specialist job in human resources
11 corporate?

12 A. 2003.

13 Q. What were the duties and
14 responsibilities of that position?

15 A. I don't remember all of them, but I
16 know it was assisting the Howard Marcus's group
17 and his group is the -- I forget the title of his
18 group but I know -- his department, I'm sorry, but
19 I know that they did a lot of corporate
20 conferences for high level executives at
21 McGraw-Hill, and I know this person would have
22 been working with Karen Solorow with the ADP
23 program.

24 Q. Did you actually interview for this
25 job?

1 *G. Henson*

2 Q. Thank you.

3 Are you claiming that Ms. Kilduff was
4 not qualified for the talent acquisition
5 specialist human resource corporate position?

6 A. I don't know if she was qualified for
7 the job.

8 Q. Now, the human resource representative
9 job at S&P, when did you apply for that position?

10 A. In 2005, June.

11 Q. And what grade level was that job?

12 A. I think that was about a 15 or 16.

13 Q. And did you interview for that job?

14 A. Yes.

15 Q. Who did you interview with?

16 A. Michael Roderick and Alicia Scaturro.

17 Q. What did you understand the duties and
18 responsibilities of that position to be?

19 A. That it was an HR generalist position.
20 I will be working more with managers, affirmative
21 action plans, the basic human resource generalist
22 duties, but at S&P.

23 Q. When you say the resource -- the human
24 resource generalist duties, what do you mean by
25 that?

1 *G. Henson*

2 lot of generalist work, where I know I did a lot
3 of generalist work.

4 Q. That's the generalist work that we
5 discussed earlier today?

6 A. Exactly.

7 Q. Who else applied for the human
8 resource representative S&P job?

9 A. I don't know.

10 Q. What is Ms. Brookings's race?

11 A. White.

12 Q. What is Ms. Laitman's race?

13 A. White.

14 Q. And Ms. Hagler's race?

15 A. White.

16 Q. I apologize if I asked you this
17 already, but do you know who else applied for the
18 human resource representative position that
19 Ms. Hagler got?

20 A. No.

21 Q. And you don't know who else applied
22 for the job that Ms. Laitman got?

23 A. No.

24 Q. Who did you -- you said you
25 interviewed with Mr. Roderick and Alicia --

1 *G. Henson*

2 A. She worked at another division of
3 human resources and this was told by her, I think
4 I was interested in a position there, and she was
5 told that I wasn't customer focused.

6 Q. Did she tell you who told her that?

7 A. No. She never did. I asked her. She
8 never did.

9 Q. Do you have a claim in this case that
10 you've -- that you were retaliated against?

11 A. Yes.

12 Q. Who do you claim retaliated against
13 you?

14 A. The decision makers regarding me
15 applying -- that's why -- I feel like that's why I
16 didn't receive the positions.

17 Q. And when you say that you were
18 retaliated against, what was it that you had done
19 that caused each of these decision makers, in your
20 view, to retaliate against you?

21 A. I feel like I applied for these
22 positions. I was told I wasn't a team player. I
23 wasn't customer focused. And that's why I didn't
24 get these positions.

25 I was -- I wasn't going to get the

1 *G. Henson*

2 positions. I've asked Sheila on a number of
3 occasions. Sheila knew that I was applying for
4 these particular positions and I asked her to be
5 my advocate.

6 Q. And what did she say?

7 A. And she said yes, but I never received
8 any of these positions that I applied for.

9 Q. Do you know whether, in fact,
10 Ms. O'Neil spoke on your behalf for any of these
11 positions?

12 A. I have no idea.

13 Q. When you say that you were told that
14 you were not a team player and you were told that
15 you were not customer focused, that's -- that's
16 based on what you've already described today,
17 correct?

18 A. Yes.

19 Q. And are you claiming that each of the
20 decision makers for the jobs you applied for
21 retaliated against you?

22 A. I don't know -- I know that I applied
23 for these jobs and I didn't receive them, and I
24 feel like it had to do with maybe me complaining
25 to Sheila about what I complained to her about as

1 *G. Henson*

2 Q. The conversation that we talked about
3 earlier today that you said you had with
4 Ms. O'Neil during which you told her that she
5 didn't know what it was like to be African
6 American at McGraw-Hill, do you know what
7 conversation I'm talking about?

8 A. Yes.

9 Q. At any point during that conversation
10 did you tell Ms. O'Neil that you believed you
11 hadn't been selected for any job or jobs because
12 you were black?

13 A. I didn't tell her at that meeting, no,
14 I did not.

15 Q. Did you ever tell her that?

16 A. No.

17 Q. Did you ever tell anyone at
18 McGraw-Hill that, other than people that are your
19 friends?

20 A. No.

21 Q. During the time that you worked at
22 McGraw-Hill, were you familiar, were you aware
23 that there was a procedure by which you could
24 voice a complaint in you believed you had been
25 discriminated against?